GOVERNMENT OF INDIA
RAILWAYS
LOK SABHA

UNSTARRED QUESTION NO:2136
ANSWERED ON:09.03.2006
COMPENSATION CLAIMS BEFORE RCT
Barad Shri Jashubhai Dhanabhai

Will the Minister of RAILWAYS be pleased to state:

(a) the time allowed to the claimant to file a compensation claim before Railway Claims Tribunal (RCT);

(b) the number of cases relating to refund of fare and accident compensation claims disposed of by the Railway Claims Tribunal (RCT) during 2005-06 along with the total amount paid as compensation;

(c) the number of pending cases before RCT till date along with the reasons for delay in disposal of such cases; and

(d) the action proposed to be taken for expeditious disposal of pending claims cases?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF RAILWAYS (SHRI R. VELU)

(a) Time allowed to the claimant to file compensation claim before Railway Claims Tribunal (RCT) is one year in case of accident claim ftom the date of accident, and three years in case offarelfteight claim ftom the date of fare / fteight paid to the Railway.

(b) During the year 2005-06 (up to 31.1.06), three cases of refund offare were disposed of and amount decreed was Rs. 3,145, and 149 cases of accident claims compensation were disposed of and amount decreed was Rs. 1.78 crore by the Railway Claims Tribunal.

(c) A total of 25,914 cases were pending before RCT as on 31.1.06. Main reasons for pendency are as follows:
(i) Adjournment sought by the Applicant/their Counsel for producing evidence, documents, etc.
(ii) Transfer of claims cases ftom one Railway Claims Tribunal (RCT) Bench to the other, sought by the claimants.
(iii) Non-availability of heirship title with the claimants in accident compensation claims cases.

(d) To streamline the functioning of Railway Claims Tribunal the following steps have been taken/ proposed to be taken for expeditious disposal of cases.

1. RCT (procedure) Rules have been amended, these cover:
(i) An application for accident compensation cases can be filed before the Bench having territorial jurisdiction over the place from which the passenger purchases ticket/obtains his pass, or where the accident or untoward incident occurs or where the place of destination station lies or where the claimant normally resides.
(ii) RCT to pronounce an order with in 21 days after final hearing.
(iii) Earlier the affidavits were attested by Notary Public. For the convenience of claimants, the Registrars ofRCT have also been empowered to attest the same.
(iv) The Registrar of the Tribunal has been empowered to monitor and see that the payment of compensation award is made expeditiously to the claimants by the Railway Administration.

2. Chairman, Railway Claims Tribunal is empowered to depute a Member of one Bench to the other Bench for holding Circuit Bench to clear the backlog in case of vacancy in that Bench.

3. Following administrative measures are also taken:
(i) An Accident cell is set up at each zonal Head quarter to provide assistance for filing accident compensation clainl and monitor them till the satisfaction of decree in the Railway Claims Tribunal.
(ii) After the decree has been passed, payment of accident claims compensation is made at the earliest.

4. Computerization of Railway Claims Tribunal has been sanctioned for the year 2005-06 which will provide the facility of on line registration and checking of status of the claims cases pending with Railway Claims Tribunal.